

Remarks

Claims 1-15 are pending. Claim 1 is independent.

Applicant has amended claims 1, 4, 8, and 10. Applicant has narrowed independent claim 1 to more particularly point out and distinctly claim the invention. No new matter was added. Support for unbiased information is found in the specification on pages 27 and 28, as originally filed. Unbiased information refers to the data dynamically presented to the system user in reaction to an option selection event. This information provides education and consideration data pertaining to product attribute characteristics and/or purchase decision conditions. The character of the information is unbiased inasmuch as it seeks to inform and educate the user so that the user may make an option selection that most closely aligns with his or her best interests as opposed to the interests of the institution selling the product(s) to the user. Based upon the user's evaluation of the unbiased information, he or she may decide to revise the option selection originally made and choose a different option selection that, based upon the information provided through the system, the user judges to be most closely aligned to his or her best interests.

The examiner uses Avery Graphics and Bayesian Systems to reject claims 1-15 as having been obvious.

Claim 1 recites "changing the unbiased information on the web page based on a user's evaluating activity." Neither cited reference, whether taken individually or in combination, teaches or suggests at least this quoted feature.

Avery Graphics does no changing on a web page based on a user's evaluating activity. Avery Graphics merely presents an interactive product selector to assist a user to select materials used to construct a sign. More specifically, Avery Graphics discloses:

Answer four questions and let us find the right vinyl for the job. (see page 2, line 1)

This simple product selector is very different from changing the unbiased information on the web page based on a user's evaluating activity, as claimed in claim 1.

Bayesian Systems fails to provide for this deficiency in Avery Graphics. Bayesian Systems merely provides a simple inference engine and fails to teach or suggest changing a web page based on the evaluating. More specifically, Bayesian Systems discloses:

The inference engine is embedded in your software to perform diagnosis or prediction. (see page 1, line 3-4).

Here again, this is very different from changing the unbiased information on the web page based on a user's evaluating activity, as claimed in claim 1.

Assuming arguendo, that there is a suggestion to combine Avery Graphics and Bayesian Systems, and there is no such suggestion, the resulting combination would lead to using an inference engine to predict the right vinyl product for the job. Accordingly, claim 1 is not rendered obvious by Avery Graphics and Bayesian Systems, whether taken separately or in combination.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


Applicant : Kevin B. Coleman
Serial No. : 09/737,926
Filed : December 15, 2000
Page : 7 of 7

Attorney's Docket No.: 18099-003001

Enclosed is a \$950 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 13 September 2004


Kenneth F. Kozik
Reg. No. 36,572

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20937697.doc